

REMARKS

Claims 23-33 are currently pending in the present application. Claims 1-22 have been cancelled, and claims 23 and 28 have been amended, by the present amendment. The title of the application has been amended to be more descriptive, as suggested by the Examiner. It is believed that these amendments have not resulted in the introduction of new matter.

Applicants wish to extend their appreciation to Examiner O'Dell for rejoining claims 28-33 encompassed by the non-elected invention of Group VI.

Pursuant to 37 C.F.R. § 1.78(a)(5)(iv), Applicants hereby provide confirmation that the certified English translation of U.S. provisional patent application 60/510,012, filed October 10, 2003, was submitted in the provisional application on April 9, 2008, as evidenced by the enclosed image file wrapper obtained from the Patent Application Information Retrieval (PAIR) system. A copy of the electronic filing receipt evidencing the timely filing thereof is also appended herewith for the Examiner's convenience.

The rejection of claims 23-33 under 35 U.S.C. § 103(a) as being obvious over Kodama (U.S. Patent 6,498,169) in view of Bicknell (Tumour Angiogenesis) is respectfully traversed.

Claims 23 and 28 are drawn to a method for inhibiting angiogenesis, and a method for treating a disease or a pathological condition caused by angiogenesis, respectively, comprising administering an effective amount of a cyclic amine compound represented by general formula (1).

Kodama '169 (U.S. Patent 6,498,169) describes that cyclic amine compounds represented by general formula (1) exhibit inhibitory effects on cell adhesion, and are useful for treating inflammatory diseases (See e.g., abstract and column 1, lines 11-18). It is understood that "cell adhesion," as used in Kodama '169, means that *activated leukocytes adhere to endothelial cells in inflammatory sites* through various cell adhesion molecules, such as ICAM-1, VCAM-1, E-selectin, LFA-1 and VLA-4, for example (See e.g., column 1, lines 40-64).

On the other hand, although Bicknell describes that *tumor angiogenesis* involves the “alignment” of *only endothelial cells* into tube-like structures, there is *no description* about “adhesion” therein.

Accordingly, while a skilled artisan would have reasonably concluded that the cyclic amine compounds described in Kodama ‘169 could inhibit *adhesion* between the heterogeneous cells of *activated leukocytes* and *endothelial cells* in *inflammatory sites*, a skilled artisan would not have had a reasonable expectation of success that the cyclic amine compounds would inhibit *adhesion* (not to be confused with *alignment*, as described in Bicknell) between the homogeneous endothelial cells in the *complex process of tumor angiogenesis*.

Withdrawal of this ground of rejection is respectfully requested.

The nonstatutory obviousness-type double patenting rejections of claims 23-33 as being unpatentable over claims: (1) 15-20 of Kodama ‘169 (U.S. Patent 6,498,169) in view of Bicknell (Tumour Angiogenesis); (2) 13-17 of Kodama ‘753 (U.S. Patent 6,395,753) in view of Bicknell; (3) 3 of Kodama ‘620 (U.S. Patent 6,605,620) in view of Bicknell; and (4) 13-17 of Kodama ‘221 (U.S. Patent 6,867,221) in view of Bicknell, are respectfully traversed for the same reasons as discussed above.

Withdrawal of these grounds of rejection is respectfully requested.

In conclusion, Applicants submit that the present application is now in condition for allowance and notification to this effect is earnestly solicited.

Respectfully submitted,

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60/510,012	Angiogenesis inhibitory method	04-26-2008::17:21:25
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Bibliographic Data

Application Number:	60/510,012	Customer Number:	22850
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Application Type:	Provisional	Status Date:	10-17-2004
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Group Art Unit:	-	Location Date:	-
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Title of Invention: Angiogenesis inhibitory method

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60/510,012 Angiogenesis inhibitory method

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Available Documents

Mail Room Date	Document Code	Document Description	Document Category	Page Count
04-09-2008	136A	Authorization for Extension of Time all replies	PROSECUTION	1
04-09-2008	SPEC	Specification	PROSECUTION	16
04-09-2008	CLM	Claims	PROSECUTION	5
04-09-2008	ABST	Abstract	PROSECUTION	1
04-09-2008	DRW	Drawings-only black and white line drawings	PROSECUTION	2
04-09-2008	N417	EFS Acknowledgment Receipt	PROSECUTION	2
12-15-2003	PEFN	Pre-Exam Formalities Notice	PROSECUTION	1
10-10-2003	TRNA	Transmittal of New Application	PROSECUTION	1
10-10-2003	SPECNO	Specification - Not in English	PROSECUTION	16
10-10-2003	DRW	Drawings-only black and white line drawings	PROSECUTION	2
10-10-2003	ADS	Application Data Sheet	PROSECUTION	2
10-10-2003	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1

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Electronic Acknowledgement Receipt

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International Application Number:	
Confirmation Number:	8530
Title of Invention:	Angiogenesis inhibitory method
First Named Inventor/Applicant Name:	Takeshi Doi
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1		243843USenglishtranslation.pdf	725951 e020bf444b1acb5676f7b77a995d4d05 2319833d	yes	25

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Miscellaneous Incoming Letter	1	1
Miscellaneous Incoming Letter	2	2
Specification	3	17
Claims	18	22
Abstract	23	23
Drawings-only black and white line drawings	24	25

Warnings:

Information:

Total Files Size (in bytes):	725951
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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

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New International Application Filed with the USPTO as a Receiving Office

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